

DEPARTMENT of the INTERIOR

FISH AND WILDLIFE SERVICE

news release

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RULEMAKING IS PROPOSED FOR FISH AND WILDLIFE COORDINATION ACT

The Departments of the Interior and Commerce have proposed joint regulations that define the requirements and procedures Federal agencies must meet to comply fully with the Fish and Wildlife Coordination Act when planning water-related projects. The proposed rulemakings standardize procedures that have been followed under memoranda of understanding between the various Federal agencies. Public hearings on the proposals will be held in June.

The proposals, published in the May 18, 1979, Federal Register, require all Federal agencies to give conservation of fish and wildlife equal weight with economic and other benefits associated with projects such as the discharge of municipal and industrial wastes, hydroelectric power generation, and flood control.

Secretary of the Interior Cecil D. Andrus said, "When adopted in final form, these rules should give decisionmakers a much better picture of the true impact of water projects upon wildlife resources."

The Fish and Wildlife Coordination Act directs all Federal agencies involved in the deepening, diversion, impoundment, or other modification of a stream or body of water to first consult with State and Federal wildlife agencies on potential impacts. The Federal wildlife agencies with whom they must consult are Interior's U.S. Fish and Wildlife Service and Commerce's National Marine Fisheries Service of the National Oceanic and Atmospheric Administration. The requirement to consult also applies to Federal agencies which issue permits for water-related developmental projects originating from non-Federal sources.

Most agencies have not adopted formal procedures implementing the 1934 Fish and Wildlife Coordination Act. As a result, disparities in interpretation and program emphasis exist. The proposed regulations would standardize agency procedures and assist project planners in designing environmentally sound projects. The procedures also are intended to minimize potential project delay and last minute modifications by requiring consultation on fish and wildlife resources at the earliest stages of project planning.

Agencies that have responsibilities under the Fish and Wildlife Coordination Act will have 90 days from promulgation of the final rules to develop agency procedures for implementing the regulations and submit them to the Secretary of the Interior for approval.

Under the proposals, a water development agency would be required to initiate consultation with State and Federal wildlife agencies who would, in turn, submit a report detailing measures to ensure wildlife protection.

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The water development agency that proposed the project will continue to make final determinations as to what specific measures are necessary to conserve, mitigate, or compensate for wildlife resources. However, the proposed rules mandate that the views of State or Federal wildlife agencies will be taken into account in making that decision.

The proposed regulations also would ensure that public participation is sought during the preparation of reports by State and Federal wildlife agencies, during consultation, and during deliberations by water-development agencies.

Because of the importance of these regulations, both the Departments of the Interior and Commerce want to make the rulemaking as open and public a procedure as possible. Therefore, all interested citizens are invited to present their views at public hearings to be held in San Francisco, California; New Orleans, Louisiana; Denver, Colorado; Dallas/Fort Worth, Texas; Twin Cities, Minnesota; and Washington, D.C. Times and locations for the six hearings will be announced shortly.

Copies of the proposed rules may be obtained from the following offices:

Regional Director
U.S. Fish and Wildlife Service
Lloyd 500 Building, Suite 1692
500 N.E. Multnomah Street
Portland, Oregon 97232

Regional Director
U.S. Fish and Wildlife Service
One Gateway Center
Suite 700
Newton Corner, Massachusetts 02158

Regional Director
U.S. Fish and Wildlife Service
P.O. Box 1306
Albuquerque, New Mexico 87103

Regional Director
U.S. Fish and Wildlife Service
P.O. Box 25486
Denver Federal Center
Denver, Colorado 80225

Regional Director
U.S. Fish and Wildlife Service
Federal Building, Fort Snelling
Twin Cities, Minnesota 55111

Alaska Area Office
U.S. Fish and Wildlife Service
1011 East Tudor Road
Anchorage, Alaska 99507

Regional Director
U.S. Fish and Wildlife Service
P.O. Box 95067
Atlanta, Georgia 30347

Director
U.S. Fish and Wildlife Service
Washington, D.C. 20240

Requests for additional information including the environmental assessment should be sent to the Director (ES), Fish and Wildlife Service, Washington, D.C. 20240, phone 202/653-5952. Written comments should be submitted by July 17, 1979.

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